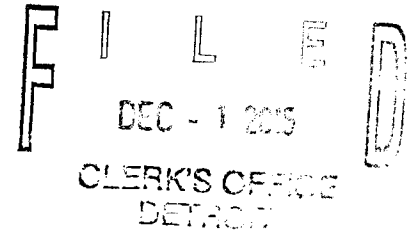


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN



UNITED STATES OF AMERICA

Plaintiff,

Case No. 08-CR-20060-01

v.

Honorable Judge (Thomas Ludington)

JAMES ALLEN MOORE

MOTION FOR MODIFICATION OF SENTENCE
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Defendant,

MOTION FOR MODIFICATION OR REDUCTION OF
SENTENCE PURSUANT TO 18 U.S.C. § 3852(c)(2)
(GUIDELINES AMENDMENT NO. 782)

I hereby request a modification of my sentence pursuant to 18 U.S.C. § 3582(c)(2) and AMENDMENT 782 to the United States Sentencing Guidelines while made a reduction in the base offense level for drug offenses retroactive as of November 1, 2014, and in support of my motion states as follows:

1. I am currently serving a term of imprisonment of 32 months imposed by the Michigan Department of Corrections (MDOC).
2. I was sentenced to a term of 25 months in May 2014 for a Class 1 drug violation while on supervised release. This violation is to be served consecutive with my 32 months imposed by the Michigan Department of Corrections. My supervised probation is also terminated upon my completion of serving my 25 month imprisonment in the Federal Bureau of Prisons.
3. My projected release date from the MDOC on October 14, 2016. I have completed my parole board recommendations here in the Michigan Department of Corrections (MDOC) which were Phase II drug treatment and also Thinking for a Change. I currently have no major misconducts to date. I understand that Amendment 782 does not authorize release of any defendant prior to November 1, 2015. This is not a guaranteed action that is given to every inmate. It is ultimately the judge's decision to grant release.

4. Since coming to the Michigan Department of Corrections, I have spent a significant amount of time reflecting on the poor decisions that led to my criminal behavior, and also my abandonment of my children, due to incarceration. Although, I did not use my substance abuse issues as an excuse for my inexcusable behavior, I fully recognize that my completion of the MDOC recommendation for Phase II drug treatment is no guarantee for success, but it is a step in the right direction. It is an important factor in my overall sobriety and rehabilitation and my successful return back to society as a productive member of society. I can see my growth and maturity in myself just from serving this time and how helpful this program has been the turning point in my life. I am attending NA and AA meetings on a regular basis.

5. I am truly fortunate to still have the love and support of my family, friends and loved ones. I plan to return to their lives and resume my role as a father, a son and friend, with a renewed optimism and commitment towards being a law-abiding drug free citizen.

6. I have had a good work report while being incarcerated. I have a job offer working at RPM Auto Sales in Flint, Michigan, as a salesman, upon my release from prison.

7. During my time in prison I have completed eight (8) programs ranging from Sobriety to Dealing With Emotions. But one of my most accomplishments was being elected as a Unit Block Representative and being on the Warden's Forum. This was a significant feat because having a #942098 (MDOC) inmate number, it is very rare that other inmates would vote for an inmate to be their representative due to the fact that a new inmate with such a new number lacks many years of experience and knowledge of how the MDOC Policy and Procedures are done. I ultimately won the Election which was a big accomplishment in my eyes. My duties consisted of interacting with prisoners and staff and addressing concerns and issues with the Unit Counselor, as well as in the Warden's Forum Meetings. I have had to be accountable for my actions at all times because I was not only representing myself, but I was also representing 160 other inmates in my Unit and the general population issues as well. I was a Unit Block Representative from November

2014 to April 2015 (6 months).

11. I will be approximately 40 years of age upon being released from the FBOP custody. I have to say that the importance to succeed has need never been as greater for me than now. I have a young son and daughter. A son who is 14 years of age and a daughter who is 7 years of age. If I am not granted the relief requested of Amendment 782 my son will be 17 years old and my daughter would be 10 years old. I forfeited a significant part of both of their lives from the poor choices and decisions that I have made, that has led me to being incarcerated.

On January 15, 2012 I lost one of the most influential people in my life - my grandmother! Suffering from that loss has been a real reality check for me. It was a let down on my behalf because by being in here and not being able to be physically out there to help not only my mother, children and other relatives through such troubling times was a pinnacle turning point in my life and put into proper perspective the most essential and important things I must take into account and be appreciative of. My mother, children are all that I have left and being incarcerated and not being able to be out there in their lives have ultimately left my children without having a father and a mother without her son, and my being able to be a positive role model in their lives, like I didn't have. Realizing this, has made me want to change for the betterment and my conscious and wise choices and decisions so that I can instill in them the proper morals and principles to help them become law-abiding citizens and make the same mistakes and choices in life I've made.

I am actually tired of being a part of the recidivism in the United States Judicial System. I want to be a part of the revitablization of my family first, my community and my Country by not committing crimes, but by being a successful tax citizen and a positive role model not only to my children but to others as well. I know I can be and is very determined to do so upon my release.

12. This Court has the solemn promise that I will do everything in my power and that

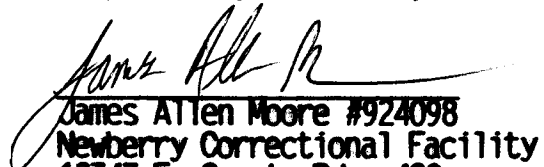
I will exert every ounce of my strength so that I never again will be a burden to this Court or the criminal justice system. Words alone cannot adequately express the sincerity of my determination to succeed. But my actions and deeds will show my commitment in doing so.

For the foregoing reasons, I respectfully requests that this Court grant this Motion for relief authorized by U.S.C. § 3582(c)(2) and Amendment 782. In the event further proceedings are required in connection with this Motion, I hereby also respectfully request the appointment of a Court Appointed Attorney to represent me in connection with such further proceedings. The Court waives the imposition of the cost, due to my lack of financial resources. I have no resources and, thus, cannot afford counsel.

I was represented by the United States Public Defender's Office on my Supervised Probation Violation.

I thank you in advance for your time, cooperation and assistance in this very germane matter.

Respectfully submitted,


James Allen Moore #924098
Newberry Correctional Facility
13747 E. County Rd. 428
Newberry, Michigan 49868

Dated: 11-25 2015.

Cooper Street Correctional Facility

hereby bestows this

Certificate of Participation

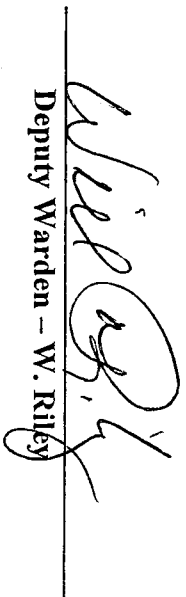
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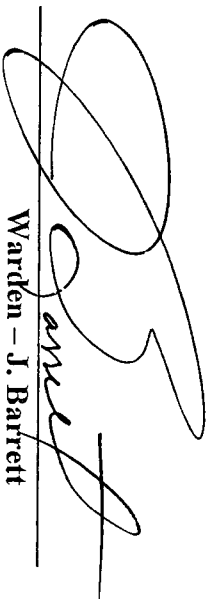
Moore #924098

For participating in the JCS Warden's Forum

from

November 2014 to April 2015


Deputy Warden – W. J. Riley


Warden – J. Barrett

Certificate Of Recognition

For Attending

Emotions Anonymous

Completed April 3, 2015

20 Weeks

Mr. Jason Moore #924098

A handwritten signature in black ink, appearing to read "Beth Moore", written over a horizontal line.

EA Facilitator

Michigan Department of Corrections
hereby bestows this

Certificate of Participation

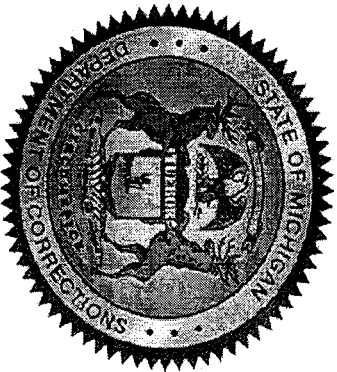
to

MOORE #924098

for

Attended 5 Weeks in Beat the Street 5 part video series

On February 28, 2015



Cooper Street Corrections Facility

V. Hankinson Special Activities Director

V. Hankinson

Recognition of Completion

MR. JAMES MOORE

APRIL 19, 2015

In Recognition Of Participating In

Secular Organizations for Sobriety



© Cam Stock Photo - esp1560014


FACILITATOR

Certificate Of Recognition

For Attending

Alcoholics Anonymous

Completed March 5, 2015

20 Weeks

James Moore #924098



A handwritten signature in black ink, appearing to read "Scott M. Moore", written over a horizontal line.

AA Facilitator

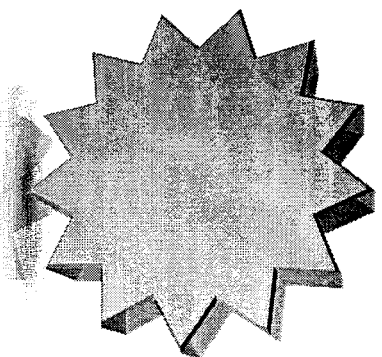
Certificate of Participation

Awarded to

Moore 924098

for the successful completion of

Co-Dependency



S. Wilkinson

Self Help Coordinator

Prisoner Facilitated Group

Completed: 9/30/2015

NCF - MSOP
Self-Help
Library

12747 e. County RD 428
Newberry, MI 49868

United States Marshal (Clerk Office)
1000 Washington Ave,
Bay City, MI 48708

U.S. Marshal

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